

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

**DELTA-MONTROSE ELECTRIC
ASSOCIATION,**
Complainant,
v.
**TRI-STATE GENERATION AND
TRANSMISSION ASSOCIATION, INC.**
Respondent.

PROCEEDING NO. 18F-0866E

**MOTION TO INTERVENE OF
POUDRE VALLEY RURAL ELECTRIC ASSOCIATION, INC.**

Poudre Valley Rural Electric Association, Inc. (“PVREA”), by and through its undersigned legal counsel, pursuant to Section 40-6-109(1), Colorado Revised Statutes and Rule 1401 of the Rules of Practice and Procedure (4 CCR 723-1) of the Colorado Public Utilities Commission (the “Commission”), moves to intervene as a party in this proceeding. In support of this Motion PVREA states as follows:

1. PVREA is a cooperative electric association and is a public utility that has been deregulated from Commission rate jurisdiction pursuant to Title 40, Article 9.5, Part 1, of the Colorado Revised Statutes.

2. PVREA purchases a substantial portion of its wholesale electric power and energy from Tri-State Generation and Transmission Association, Inc. (“TSGT”) through a purchase power partial requirements contract dated July 1, 2007, that expires December 31, 2050, that may be affected by the outcome of this proceeding.

3. TSGT is a cooperative association; and PVREA has a membership interest in TSGT. The membership interest in TSGT owned by PVREA may be affected by the outcome of this proceeding.

3. Because of the contractual interest and membership interest owned by PVREA in TSGT, then PVREA has a pecuniary and tangible interest in this proceeding. PVREA is entitled to intervene in this docket since it is probable that PVREA will sustain a rate impact as a result of the implementation of any relief requested by Complainant, Delta-Montrose Electric Association (“DMEA”). Because of the nature of the relief requested by DMEA in this proceeding, then the Commission should consider giving a special notice to all of TSGT’s members that allows for intervention in this proceeding and to establish at least a twenty day

time frame for each member of TSGT to intervene in this proceeding without necessity of obtaining Colorado legal counsel under 4 CCR 723-1, Rule 1201(b)(V).

4. Intervention by PVREA will not unduly broaden the issues in this proceeding.

5. The nature and quantity of any evidence to be presented by PVREA is not yet known; however, PVREA will abide by the time limits for discovery and submission of testimony and exhibits and the submission of statements of position. By Decision No. C18-1177-I, DMEA and TSGT will file a joint proposed procedural schedule no later than January 28, 2019. PVREA will abide by the procedural schedule adopted by the Commission.

6. Intervention is timely (deadline is January 9, 2019) based on the Order to Satisfy or Answer the Complaint that was issued in this Docket on December 10, 2018. TSGT has been allowed by the Commission to file its Response to the Complaint by January 15, 2019, by Decision No. C18-1177-I.

7. PVREA requests that notice of matters relating to this proceeding and copies of orders, testimony, exhibits, and all pleadings, discovery, and other communications be served upon the following:

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8. PVREA may file a Nondisclosure Agreement regarding confidential information and highly confidential information. PVREA does not now intend to propound discovery requests to DMEA or TSGT, however, based on information provided by DMEA or TSGT to the

Commission and to other parties, PVREA may determine to propound discovery to DMEA or TSGT related to such responses of either of them to discovery propounded by parties to the proceeding. PVREA requests that DMEA and TSGT provide PVREA with a copy of any response to discovery made by any party.

PVREA has accepted electronic filing of documents through the Commission's E-filing system.

Respectfully submitted this 7th day of January, 2019.

By: s/ Randolph W. Starr
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CERTIFICATE OF SERVICE

I hereby certify that on January 7, 2019, the foregoing document was served via electronic filing with the Commission and served on those parties shown on the Commission's Certificate of Service accompanying such filing:

A handwritten signature in black ink, appearing to read "Randolph W. Starr", written above a horizontal line.

Randolph W. Starr